

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Study Session

December 3, 2001
6:00 p.m.

Council Conference Room
Bellevue, Washington

PRESENT: Mayor Mosher, Deputy Mayor Marshall, Councilmembers Creighton, Davidson, Degginger, and Noble

ABSENT: Councilmember Lee

1. Executive Session

Mayor Mosher opened the meeting at 6:02 p.m. and announced recess to executive session for one hour to discuss two property acquisition items. The study session resumed at 7:05 p.m.

2. Study Session

(a) 2002 Comprehensive Plan Update

City Manager Steve Sarkozy opened the discussion and requested Council approval of the work program for the 2002 update to the Comprehensive Plan and Land Use Code.

Kathleen Burgess, Comprehensive Planning Manager, described staff's efforts to prepare the first five-year update to the Comprehensive Plan and Land Use Code, as required by the state Growth Management Act. She recalled Council's approval on October 8 of a two-phased approach to the update. The first phase, to be presented tonight as the 2002 Update Work Program, focuses on meeting state requirements and selected local priorities. A second phase in 2003 and 2004 will review the City's population and employment targets.

Patsy Bonincontri, Vice Chair of the Planning Commission, said the Commission followed evaluation criteria provided in the Comprehensive Plan to screen all proposed amendments contained in the 2002 Update Work Program. The Commission recommends City Council approval of the work program.

Ms. Bonincontri discussed two items raised during public testimony on the Comprehensive Plan update, which the Commission feels warrant further attention in Phase 2 of the update process:

- Create an Historic Preservation Register.

- Initiate an update to the Bridle Trails Subarea Plan to prepare tree-cutting policies that address redevelopment and tree trimming and provide for trees and vegetation along streets.

Planning Director Dan Stroh requested Council action to approve the 2002 Update Work Program and Council direction regarding additional suggestions by the Planning Commission. Mr. Stroh recalled Council's previous discussions and rejection of a citywide regulatory approach to preserving trees. Staff thinks there is merit to exploring the issue on a neighborhood basis to the extent that specific neighborhoods are interested.

Mr. Noble said tree preservation is a major issue for the Bridle Trails area and large lots have recently been cleared of trees as part of development/redevelopment efforts. He is in favor of addressing the issue as neighborhoods express an interest in this type of regulation.

In response to Mr. Degginger, Mr. Stroh said more staff study would be needed to determine exactly how such a regulatory approach would be implemented. Referring to an item in the proposed 2002 Work Program, Mr. Degginger questioned the use of minimum densities for residential zones in other cities. Mr. Stroh confirmed that some cities have adopted minimum density requirements for new construction in residential zones.

Deputy Mayor Marshall said there is a broad range of views within the community regarding the preservation of trees and therefore the decision should come from residents of specific neighborhoods. She suggested that the creation of an historic preservation register would be a good project for *Advance Bellevue* participants or the Bellevue Historical Society. Mrs. Marshall would like more Council discussion in the near future regarding the undergrounding of utilities, particularly in reference to two current transportation projects on 140th Avenue and Kamber Road.

Dr. Davidson expressed concern about both the historic preservation and the tree retention issues, which he sees as the overregulation of private property. He observed that most trees removed by people are probably trees they originally planted.

Mr. Creighton is not in favor of establishing minimum densities in residential zones. Responding to Mr. Creighton, Mr. Stroh said "best available science" is defined by the State as a process incorporating scientific methods and not by specific outcomes. Mr. Creighton is reluctant to revisit the tree retention issue, although he feels that neighborhood-specific solutions might be feasible. He is not in favor of the Planning Commission's recommendations regarding the creation of an historic preservation register and/or commission.

Mayor Mosher does not support the historic preservation proposals, particularly given the fact that the city is only 50 years old, and he shares fellow Councilmembers' concerns regarding the regulation of private property. He feels tree retention is most appropriate as a neighborhood character issue and prefers the use of incentives to save trees instead of prohibitions on tree cutting.

Mr. Noble voiced support for the initiative to preserve trees in the Bridle Trails area because the trees are so old and actually predate the residents.

- ➡ Deputy Mayor Marshall moved to approve the 2002 Update Work Program recommended by the Planning Commission, revised to add a review of neighborhood-serving uses under the General Commercial designation. Mr. Degginger seconded the motion.
- ➡ The motion to approve the 2002 Update Work Program recommended by the Planning Commission, revised to add a review of neighborhood-serving uses under the General Commercial designation, carried by a vote of 6-0.
- ➡ Mr. Noble moved to initiate an update to the Bridle Trails Subarea Plan to address tree preservation policies, and Mrs. Marshall seconded the motion.

In response to Dr. Davidson, Mr. Stroh said current tree regulations protect significant trees during the development of subdivisions, multifamily housing, and commercial sites. Significant trees must be retained along perimeter landscaping and 15 percent of significant trees must be retained within the interior of a site. In addition, a clearing and grading permit is required for the substantial removal of trees. Planning and Community Development Director Matt Terry noted that single-family properties are exempt from development regulations but would be subject to clearing and grading requirements.

Responding to Mrs. Marshall, Mr. Terry confirmed that a Bridle Trails property owner recently cleared trees on his land and then decided to subdivide the property for development.

- ➡ The motion to initiate an update to the Bridle Trails Subarea Plan to address tree preservation policies carried by a vote of 5-1, with Dr. Davidson dissenting.

3. Discussion of Upcoming Issue

- (a) Extension of current franchise agreement for electrical service with Puget Sound Energy
(Opportunity for Council to raise questions in advance of action scheduled for December 10, 2001)

David Kerr, Franchise and Transportation Legal Advisor, explained that the City's current electrical franchise agreement with Puget Sound Energy expires on January 1, 2002. Staff is seeking an 18-month extension of the current agreement to allow continued negotiations. Mr. Kerr said state law requires that a franchise agreement be introduced to Council first and then brought back for Council action no sooner than five days later. Council action regarding extension of the current agreement is scheduled for December 10, 2001.

Mr. Degginger questioned the need for an 18-month extension. Transportation Assistant Director Nora Johnson said Mr. Kerr's position was vacant for several months and he has been busy with other projects since he was hired. She added that negotiations with PSE have been fairly protracted and more time is needed to address all of the issues. During the previous round of negotiations two extensions were needed and PSE is now settling into a new organization

structure. Ms. Johnson feels the negotiations could not be completed within a year based on the experience of other jurisdictions (Redmond and Renton) negotiating with PSE.

4. Council Business [Regular Session Agenda Item 6]

Mr. Degginger attended a meeting of the Cascade Water Alliance.

Mr. Noble participated in a ribbon-cutting ceremony at the new Crossroads library and attended a Trans-Lake Washington Corridor Study meeting.

Mrs. Marshall attended the final meeting of the King County Redistricting Committee. She congratulated the Bellevue High School Wolverines for winning the state football title.

Noting that he attended the Thanksgiving dinner at Crossroads, Mr. Creighton reminded everyone of the need for food and other essentials within the community.

Mayor Mosher attended the Association of Washington Cities Board meeting and met with members of the Egyptian Moslem community.

At 7:55 p.m., Mayor Mosher declared recess to the regular session.

Myrna L. Basich
City Clerk

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